

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

-against-

MEMORANDUM AND ORDER
02-CR-1298 (DRH)

FRANCINE SWEET,

Defendant.

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A P P E A R A N C E S:

For the Government:

Roslynn R. Mauskopf
United States Attorney
Eastern District of New York
One Pierrepont Plaza
Brooklyn, New York 11201
By: Geoffrey Kaiser, A.U.S.A.

For the Defendant:

Scott E. Leemon, P.C.
260 Madison Avenue, 20th Floor
New York, New York 10016

HURLEY, District Judge

The Court is in receipt of a pro se motion prepared by defendant, and forwarded to me by her attorney, in which she requests that the Court make certain recommendations, presumably to the Bureau of Prisons, "so that she may serve the remaining 6 months of her sentence on Home Confinement or other community release Halfway House programs that the Court may deem just and proper." Additionally, she has made the request that the Court recommend that she be "transfer[ed] to community confinement pursuant to 18 [U.S.C. §] 3624." Assuming, arguendo, that I have the authority to make the requested recommendations, I, in the exercise of my discretion, decline to do so.

I have also received a letter from her attorney dated May 10, 2006, which indicates that the Bureau of Prisons is deducting payments from her commissary account to be applied towards restitution as ordered in this Court's judgment of October 25, 2005. As requested, and absent objection from the government, the Court has filed a amended judgment to indicate that the 15% deduction provision will not go into effect until such time as she has completed her period of incarceration and is on supervised release.

SO ORDERED.

Dated: May 12, 2006
Central Islip, New York

_____/S/_____
DENIS R. HURLEY, U.S.D.J